

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE APPLICATION OF)
TOLEDO AREA TELECOMMUNICATIONS)
SERVICES, INC. D/B/A BUCKEYE)
TELESYSTEM FOR A CERTIFICATE OF)
AUTHORITY TO PROVIDE INTEREXCHANGE)
TELECOMMUNICATIONS SERVICES IN)
SOUTH DAKOTA)**

**ORDER GRANTING
CERTIFICATE OF
AUTHORITY**

TC01-002

On January 8, 2001, the Public Utilities Commission (Commission), in accordance with SDCL 49-31-3 and ARSD 20:10:24:02, received an application for a certificate of authority from Toledo Area Telecommunications Services, Inc. d/b/a Buckeye TeleSystem (Toledo).

Toledo proposes to offer outbound direct dial, inbound toll free, travel card, frame relay and alternative operator assisted service. A proposed tariff was filed by Toledo. The Commission has classified long distance service as fully competitive.

On January 11, 2001, the Commission electronically transmitted notice of the filing and the intervention deadline of January 26, 2001, to interested individuals and entities. No petitions to intervene or comments were filed and at its March 6, 2001, meeting, the Commission considered Toledo's request for a certificate of authority. Commission Staff recommended granting a certificate of authority, subject to the condition that Toledo not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. Commission Staff further recommended a waiver of ARSD 20:10:24:02(8).

The Commission finds that it has jurisdiction over this matter pursuant to SDCL Chapter 49-31, specifically 49-31-3 and ARSD 20:10:24:02 and 20:10:24:03. The Commission finds that Toledo has met the legal requirements established for the granting of a certificate of authority. Toledo has, in accordance with SDCL 49-31-3, demonstrated sufficient technical, financial and managerial capabilities to offer telecommunications services in South Dakota. Further, the Commission finds that there is good cause to waive ARSD 20:10:24:02(8). The Commission approves Toledo's application for a certificate of authority, subject to the condition that Toledo not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. As the Commission's final decision in this matter, it is therefore

ORDERED, that Toledo's application for a certificate of authority is hereby granted, subject to the condition that Toledo not offer a prepaid calling card or require deposits or advance payments without prior approval of the Commission. It is

FURTHER ORDERED, that the Commission finds good cause to waive ARSD

20:10:24:02(8). It is

FURTHER ORDERED, that Toledo shall file informational copies of tariff changes with the Commission as the changes occur.

Dated at Pierre, South Dakota, this 9th day of March, 2001.

<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>

BY ORDER OF THE COMMISSION:

JAMES A. BURG, Chairman

PAM NELSON, Commissioner